

10 NOV 1997

23 JUN 2000

Patents

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gregg S. Freishtat et al.

Serial No.: 09/308,436

Examiner:

Filing Date: November 17, 1997

Group Art Unit:

For: SYSTEM FOR INTEGRATED MANAGEMENT
OF MESSAGING AND COMMUNICATIONS

**RENEWED PETITION UNDER 37 C.F.R. § 1.47(b)
OR IN THE ALTERNATIVE,
A PETITION TO CONVERT THE ORIGINAL PETITION
TO A PETITION UNDER 37 C.F.R. § 1.47(a)**

Assistant Director for Patents
Box PCT
Washington, D.C. 20231

Attention: PCT Legal Office

Sir:

Applicant, Premiere Communications, Inc., submits this Renewed Petition under 37 C.F.R. § 1.47(b) or in the alternative, a Petition to Convert the Original Petition to a Petition Under 37 C.F.R. § 1.47(a) ("Renewed Petition") in response to the Decision On Petition under 37 C.F.R. § 1.47(b) ("Decision"), and respectfully requests that prosecution of this application be allowed to continue. The original Petition pursuant to 37 C.F.R. § 1.47(b) ("Original Petition") is incorporated herein by reference.

The Decision found the Petition under 37 C.F.R. § 1.47(b) to have satisfied five of the six requirements for the grant of such a petition. As to the sixth requirement, Applicant was found to have failed to submit sufficient factual proof the inventors FREISHTAT and LEITESS refuse to execute the application or cannot be reached after a diligent effort. FREISHTAT and LEITESS have since the filing of the Original Petition executed the application. Thus, Applicant renews its efforts to continue prosecution of this application under 37 C.F.R. § 1.47(a) rather than § 1.47(b). All of the requirements of the Petition under 37 C.F.R. § 1.47(a) have been satisfied through demonstrations provided in the Original Petition or the materials submitted herewith.

Inventors SMITH and COWDEN

The Decision found the submitted evidence to constitute adequate proof of the unavailability of the inventors SMITH and COWDEN to sign the materials related to the application. This "unavailability" of the inventors was and is the demonstration intended by Applicant.

As set forth in the Original Petition, the last known address (where the inventors customarily receive mail) of SMITH and COWDEN are as follows:

Mr. David Gregory Smith
5312 S. Crescent Drive
Tampa, Florida 33611-4126

Mr. Michael James Cowden
1074 Peachtree Walk, B317
Atlanta, Georgia 30309

Inventors LEITESS and FREISHTAT

Applicant has obtained the signatures of both inventors LEITESS and FREISHTAT and attaches copies of the executed Combined Declaration for Patent Application and Power of Attorney ("Combined Declaration") for these inventors.

All of the Inventors Have Either Signed the Combined Declaration or Been Found Unavailable

The requirements of the Petition under 37 C.F.R. § 1.47(a) have been satisfied now that two of the inventors (LEITESS and FREISHTAT) have executed the Combined Declaration, and the remaining two inventors (COWDEN and SMITH) have been found to be "unavailable".

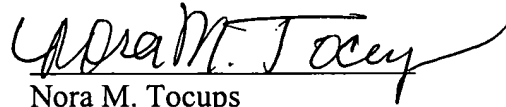
Incorrect PCT Filing Date Is A Typographical Error

The Decision found the PCT Filing Date on page two of the Combined Declaration was incorrectly listed as 11 November 1996 instead of the actual filing date of 17 November 1997. This is a typographical error, which has been corrected on the attached Combined Declarations executed by FREISHTAT and LEITESS.

CONCLUSION

Applicant submits the requirements of 37 C.F.R. § 1.47(a) have been met. Therefore, the undersigned attorney, on behalf of the Applicant as Assignee, Premiere Communications Inc., and on behalf of the inventors, respectfully requests that prosecution of this application be allowed to continue.

Respectfully submitted,



Nora M. Tocups
Reg. No. 35,717

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Attorney Docket No.: P0129/170179